

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

FILED  
OCT 31 2005  
CLERK

\*\*\*\*\*  
UNITED STATES OF AMERICA, \*  
 \*  
Plaintiff, \*  
 \*  
vs. \*  
 \*  
JOSE JUAN BENITEZ-ANTONIO, \*  
a/k/a Secilio Damas, a/k/a Cecilio Damas \*  
 \*  
 \*  
Defendant. \*  
 \*  
\*\*\*\*\*

CR 05-M55

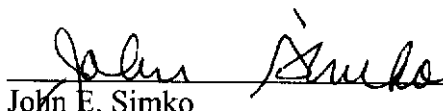
FINDING OF  
PROBABLE CAUSE

This matter came before the Court for a preliminary examination on Monday, October 31, 2005. The defendant appeared in person and by his counsel, Assistant Federal Public Defender Timothy Langley. The United States appeared by Assistant United States Attorney, John Ulrich.

Based upon the testimony of Kenneth Baird, Special Agent with the Department of Homeland Security, the court finds probable cause to believe that the defendant has committed the acts alleged in the Complaint.

Dated at Sioux Falls, South Dakota, this 31<sup>st</sup> day of October, 2005.

BY THE COURT:

  
\_\_\_\_\_  
John E. Simko  
United States Magistrate Judge

ATTEST:

JOSEPH HAAS, Clerk of Courts

By: Shelly Magulac, Deputy

(SEAL)